

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

Case No.:

vs.

ADRIAN STOIANOVICI
1800 HUDSON AVENUE
ROCHESTER, NEW YORK 14617,

Defendant.

COMPLAINT

The United States of America, by its attorneys, William J. Hochul, Jr., United States Attorney for the Western District of New York, and Kevin D. Robinson, Assistant United States Attorney, on behalf of its agency, the U.S. Department of Education (“DOE”), alleges the following:

1. This is a civil action brought by the Plaintiff, the United States of America, (the “United States”), on behalf of its agency, DOE, to recover payments due and unpaid on a student loan insured by the DOE under the William D. Ford Federal Direct Loan Program, Title IV, Part D of the Higher Education Act of 1965 (the “Act”), as amended, 20 U.S.C. § 1087, et seq. (34 C.F.R. Part 685).

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1345.

3. Venue is proper in the Western District of New York pursuant to 28 U.S.C. §1391(b)(2) in that defendant, ADRIAN STOIANOVICI, is a natural person over the

age of twenty-one years who resides at 1800 Hudson Avenue, Rochester, New York 14617, within the jurisdiction of this Court.

4. Defendant entered into the Promissory Note attached hereto as Exhibit “A”.

5. Defendant has defaulted in making the payments due under the aforesaid Note.

6. Defendant is now indebted to the plaintiff in the total amount of \$159,970.59, by reason of the assignment to the United States of the defaulted Promissory Note insured by the United States Department of Education under the Act, as more particularly described in the Certificate of Indebtedness, a copy of which is attached as Exhibit “B”.

7. Defendant has failed to pay the aforesaid amount although demand has been duly made for payment.

WHEREFORE, the United States demands judgment against the defendant, Adrian Stoianovici, as follows:

- a. In the amount of \$159,970.59, which includes the principal amount of \$104,040.95 and interest in the amount of \$55,929.64 through December 12, 2014, pre-judgment interest on the principal to accrue at the rate of 5.375% per annum (\$15.30 per diem) to the date of judgment;

- b. Post-judgment interest at the legal rate in effect as of the date of entry of the Judgment until paid in full;
- c. Court filing fees allowed pursuant to 28 U.S.C. § 2412(a)(2);
- d. Costs of suit; and
- e. For such other and further relief as the Court deems proper.

Dated: May 18, 2015
Buffalo, New York

WILLIAM J. HOCHUL, JR.
United States Attorney

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